# Ordinance 2015-44

#### **SHORT TITLE:**

An ordinance amending Provo City Code Section 14.23.030 (New Development Lot Area).

# PASSAGE BY MUNICIPAL COUNCIL

## **ROLL CALL**

DISTRICT	NAME	MOTION	SECOND	FOR	AGAINST	OTHER
CW 1	DAVID SEWELL		√	√		
CW 2	GARY GARRETT			√		
CD 1	GARY WINTERTON	<b>✓</b>		V		
CD 2	KIM SANTIAGO			V		
CD 3	HAL MILLER			√		
CD 4	KAY VAN BUREN			√		
CD 5	CALLI HALES			√		
			TOTALS	7	0	0

This ordinance was passed by the Municipal	oal Council of Provo City, on the 1st day of December, 2015 on a roll
call vote as described above. Signed this	December 17, 2015
	Harry Janott
	Chair
	II
	APPROVAL BY MAYOR
This ordinance is approved by me this	December 28, 2015 .

Mayor

#### ORDINANCE 2015-44

III

#### CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was recorded in the office of the Provo City Recorder on the 28th day of December, 2015, with a short summary being published on the 19th day of December, 2015, in The Daily Herald, a newspaper circulated in Provo, Utah. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2015-44.

Signed this



City Recorder	

28th day of December,

2015.

1	ORDINANCE 2015-44.
2	AN ORDINANCE AMENDRIC PROVO CITY CODE CECTION 14 22 020
3 4	AN ORDINANCE AMENDING PROVO CITY CODE SECTION 14.23.030 (NEW DEVELOPMENT LOT AREA). CITY WIDE IMPACT. (15-0015OA)
5	WHEDEAG :
6	WHEREAS, it is proposed that amendments be made to Provo City Code Section
7	14.23.030 (New Development Lot Area) to clarify language regarding permitted uses and prior
8 9	created lots; and
0	WHEREAS, clarifying language in the zone will make the intent of the zone more easily
1	understood by property owners and developers; and
2	understood by property owners and developers, and
3	WHEREAS, the proposed changes will close a loophole that could create an undesired
4	result of these new zone; and
5	Total of these new Zone, and
6	WHEREAS, on October 14, 2015, the Planning Commission held a duly noticed public
7	hearing to consider the proposal and after such hearing the Planning Commission recommended
8	to the Municipal Council that the proposed amendment be approved as set forth below; and
9	
20	WHEREAS, on December 1, 2015, the Municipal Council held a duly noticed public
21	hearing to receive public comment and ascertain the facts regarding this matter, which facts and
22	comments are found in the hearing record; and
23	
22 23 24 25	WHEREAS, after considering the Planning Commission's recommendation, and facts
25	and comments presented to the Municipal Council, the Council finds (i) Provo City Code Section
26	14.23.030 (New Development Lot Area) should be amended on the basis recommended by the
27	Planning Commission and (ii) this action, as set forth below, reasonably furthers the health,
28	safety and general welfare of the citizens of Provo City.
29	NOW THEREFORE had and and by the Manisimal Council of Prove City, Utah as
30 31	NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:
32	lollows.
33	PART I:
34	<u>171(1 1</u> .
35	Provo City Code Section 14.23.030 is hereby amended as follows:
36	Trove city code socion i n.25.050 is nerecy amenata as ronows.
37	14.23.030. New Development Lot Area
88	1
39	The minimum lot area for any new development in the ITOD zone shall be one (1) acre twenty-
10	thousand (20,000) square feet. For the purpose of this Section, new development is defined as
11	any new principal building or subdivision of a lot or parcel.
12	
13	PART II:
1 /	

A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.

4/	
48	B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be
49	severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or
50	invalid, the remainder of the ordinance shall not be affected thereby.
51	

- C. The Municipal Council hereby directs that the official copy of the Provo City Code be updated to reflect the provisions enacted by this ordinance.
- D. This ordinance shall take effect immediately after it has been posted or published in accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

## END OF ORDINANCE.